

**A CERTIFIED TRUE COPY**

**OCT 17 2005**

**ATTEST  
FOR THE JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION**

**FILED**

**05 OCT 25 PM 2:38**

**CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

**JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION**

**SEP 29 2005**

**FILED  
CLERK'S OFFICE**

**DOCKET NO. 1699**

**M 051699 MDL**

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**IN RE BEXTRA AND CELEBREX MARKETING, SALES PRACTICES AND  
PRODUCTS LIABILITY LITIGATION**

**(SEE ATTACHED SCHEDULE)**

**CONDITIONAL TRANSFER ORDER (CTO-1)**

On September 6, 2005, the Panel transferred 30 civil actions to the United States District Court for the Northern District of California for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, one additional action has been transferred to the Northern District of California. With the consent of that court, all such actions have been assigned to the Honorable Charles R. Breyer.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Northern District of California and assigned to Judge Breyer.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Northern District of California for the reasons stated in the order of September 6, 2005, \_\_\_ F. Supp. 2d \_\_\_ (J.P.M.L. 2005), and, with the consent of that court, assigned to the Honorable Charles R. Breyer.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Northern District of California. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

**Inasmuch as no objection is  
pending at this time, the  
stay is lifted.**

**OCT 17 2005**

**CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION**

**FOR THE PANEL:**

**Michael J. Beck**

**Michael J. Beck  
Clerk of the Panel**

**I hereby certify that the enclosed  
instrument is a true and correct copy  
of the original on file in my office.**

**RICHARD W. WILKING  
Clerk, U.S. District Court  
Northern District of California**

**By R.C. Anthe  
Deputy Clerk**

**Date 10/25/05**

**SCHEDULE CTO-1 - TAG-ALONG ACTIONS**  
**DOCKET NO. 1699**  
**IN RE BEXTRA AND CELEBREX MARKETING, SALES PRACTICES AND**  
**PRODUCTS LIABILITY LITIGATION**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	
<b>ALABAMA MIDDLE</b>		
ALM 1 05-500	Robert Webb v. G.D. Searle, LLC, et al.	
ALM 2 05-475	Frank Klinger v. G.D. Searle, LLC, et al.	
ALM 2 05-476	Clarice Hare v. G.D. Searle, LLC, et al.	
ALM 2 05-593	Barbara Clem v. G.D. Searle, LLC, et al. ✓	
ALM 2 05-594	Phyllis McCord v. G.D. Searle, LLC, et al.	
<b>ALABAMA NORTHERN</b>		
ALN 2 05-896	Earl Darby, Jr. v. Merck & Co., Inc., et al.	
ALN 2 05-1670	Gloria Mauldin v. Pfizer, Inc.	
ALN 2 05-1799	Mary Nell McCloud v. G.D. Searle, LLC, et al.	
ALN 7 05-1125	Stan Downey, et al. v. Merck & Co., Inc., et al.	
<b>ALABAMA SOUTHERN</b>		
ALS 1 05-360	Cliff Norwood v. G.D. Searle, LLC, et al.	
ALS 1 05-361	James Alan Bell v. G.D. Searle, LLC, et al.	
ALS 1 05-388	James Rogers Fanning v. G.D. Searle, LLC, et al.	
ALS 1 05-397	John Scarcliff v. G.D. Searle, LLC, et al.	
<del>ALS 1 05-399</del>	<del>Larry W. Broadus v. G.D. Searle, LLC, et al.</del>	
ALS 1 05-454	Albert Pearson v. G.D. Searle, LLC, et al.	
ALS 2 05-368	Wilmer Merriweather v. G.D. Searle, LLC, et al.	
		Vacated 10/14/05
<b>CALIFORNIA CENTRAL</b>		
CAC 2 05-3851	Robert Schwartz v. G.D. Searle, LLC, et al.	
<del>CAC 2 05-6130</del>	<del>William Acosta, et al. v. Pfizer, Inc., et al.</del>	
CAC 5 05-283	Lillie Baker v. Pfizer, Inc.	
		Vacated 10/14/05
<b>CALIFORNIA SOUTHERN</b>		
CAS 3 05-1193	William Armbruster, et al. v. Merck & Co., Inc., et al.	
<b>COLORADO</b>		
CO 1 05-1266	Jannett Graham v. Pfizer, Inc.	
<b>CONNECTICUT</b>		
CT 3 05-1104	Thomas Durica, et al. v. Pfizer, Inc.	
<b>FLORIDA MIDDLE</b>		
FLM 3 05-695	Mary Ellen Mule v. Pfizer, Inc.	
FLM 6 05-1174	Tracy Ring v. G.D. Searle, LLC, et al.	
FLM 8 05-963	Harley W. Horne v. Pfizer Inc.	
<b>FLORIDA SOUTHERN</b>		
FLS 1 05-21241	Clara Fontanilles v. Pfizer, Inc.	
<b>IOWA NORTHERN</b>		
IAN 2 05-1032	Jo Anne Pierce v. G.D. Searle, LLC, et al.	

## SCHEDULE CTO-1 - TAG-ALONG ACTIONS MDL-1699

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	
IOWA SOUTHERN IAS 3 05-91	Kenneth L. Peterson, et al. v. Pfizer, Inc.	
ILLINOIS NORTHERN ILN 1 05-2101 ILN 1 05-3991	William Adams, et al. v. Pfizer Pharmaceuticals, Inc. Vernon Shephard v. Pfizer, Inc.	
ILLINOIS SOUTHERN <del>ILS 3 04-933</del> ILS 3 05-252 ILS 3 05-386	<del>Barbara Mihalich v. Pfizer, Inc.</del> John J. Driscoll v. Pfizer, Inc., et al. Maurice Dulle v. Pharmacia & Upjohn Co., et al.	Vacated 10/14/05
INDIANA SOUTHERN INS 1 05-1109 INS 3 05-73	Sheet Metal Workers Local No. 20 Welfare & Benefit Fund, et al. v. Pfizer, Inc., et al. Judy G. Engel, etc. v. Merck & Co., Inc., et al.	
KANSAS KS 2 05-2127	John Barker, etc. v. G.D. Searle, LLC, et al.	
KENTUCKY WESTERN KYW 3 05-476	John DeHart v. Pfizer, Inc.	
LOUISIANA WESTERN <del>LAW 1 05-761</del> <del>LAW 5 04-701</del> LAW 5 05-715	<del>Gayle Swilley, et al. v. Pfizer, Inc.</del> <del>Leon Bell, et al. v. G.D. Searle &amp; Co., et al.</del> Lessie McCoy v. Pfizer, Inc.	Opposed 10/14/05 Vacated 10/14/05
MICHIGAN EASTERN MIE 2 05-71656	Frankenmuth Financial Group, et al. v. Pfizer, Inc., et al.	
MINNESOTA MN 0 05-803 MN 0 05-1106	Rebecca L. Galvan, etc. v. Pfizer, Inc. Cheryl M. Snow v. Pfizer, Inc.	
MISSOURI EASTERN MOE 4 05-720 MOE 4 05-870 MOE 4 05-871 MOE 4 05-1162 <del>MOE 4 05-1303</del>	Willie Baskett v. G.D. Searle, LLC, et al. Clara Jean Hunter v. Merck & Co., Inc., et al. Shirley Mae Nash v. G.D. Searle, LLC, et al. JoLinda Haugh v. Pfizer, Inc. <del>Edward Vitt v. Pfizer, Inc., et al.</del>	Opposed 10/17/05
MISSOURI WESTERN MOW 4 05-489 MOW 4 05-496 MOW 4 05-543	Marjorie Messick v. G.D. Searle, LLC, et al. Nancy Jones v. Pfizer, Inc. Bennie McBroom v. G.D. Searle, LLC, et al.	
MISSISSIPPI NORTHERN MSN 2 05-18	Judy Shearer, etc. v. Pharmacia, Inc., et al.	
NEW JERSEY NJ 1 05-3471 NJ 2 05-2891	John Markulec v. Pfizer, Inc. Edward T. Kierstead, et al. v. Pfizer, Inc.	

DIST. DIV. C.A. #

CASE CAPTION

NEW YORK EASTERN

NYE 1 01-3441

NYE 1 05-3476

Alex Cain, et al. v. Merck & Co., Inc., et al.  
Phyllis Weber, et al. v. Pfizer, Inc., et al.

NEW YORK SOUTHERN

NYS 1 05-818

NYS 1 05-5210

NYS 1 05-5211

NYS 1 05-7587

NYS 1 05-7588

NYS 1 05-7589

Matthew Cavallo, et al. v. Pfizer, Inc., et al.  
Michele Sharon Cardamone v. Pfizer, Inc.  
Cynthia Young v. Pfizer, Inc.  
Kathie Stephens v. Pfizer, Inc.  
Denny Clubb v. Pfizer, Inc.  
Linda Bentley v. Pfizer, Inc.

OHIO NORTHERN

OHN 3 05-7200

Sheila M. Blevins, etc. v. G.D. Searle, LLC, et al.

OHIO SOUTHERN

OHS 3 05-194

OHS 3 05-195

OHS 3 05-196

OHS 3 05-197

OHS 3 05-199

Sharon Allen, et al. v. G.D. Searle, LLC, et al.  
Geraldine Aellig, et al. v. G.D. Searle, LLC, et al.  
Betty Bragg, et al. v. G.D. Searle, LLC, et al.  
Diane Alexander, et al. v. G.D. Searle, LLC, et al.  
Curtis L. McEldowney, Jr., et al. v. G.D. Searle, LLC, et al.

OKLAHOMA WESTERN

OKW 5 05-425

OKW 5 05-426

Ghaleb Aweida v. Pfizer, Inc.  
Annie Marie Isaacs v. Pfizer, Inc.

OREGON

OR 3 05-812

Louis Sneer v. Pfizer, Inc.

PENNSYLVANIA EASTERN

PAE 2 04-5987

PAE 2 05-1908

PAE 2 05-2169

PAE 2 05-2170

PAE 2 05-2217

PAE 2 05-2222

PAE 2 05-2967

PAE 2 05-3469

Mary Henderson v. Merck & Co., Inc., et al.  
Maria Camardella, etc. v. Merck & Co., Inc., et al.  
Keith Cardone v. Pfizer, Inc., et al.  
Jose Martinez v. Pfizer, Inc., et al.  
Lynnellen Daniels, et al. v. Pfizer, Inc., et al.  
Willie Brooks, etc. v. Merck & Co., Inc., et al.  
James F. Adams v. Pfizer, Inc., et al.  
Robert L. Nichols, Jr., et al. v. Pfizer, Inc.

SOUTH CAROLINA

SC 2 05-962

Tomm L. Gipe, et al. v. Pfizer, Inc.

TENNESSEE MIDDLE

TNM 3 05-321

Consuelo Solis-King v. Pfizer, Inc.

TEXAS EASTERN

TXE 1 05-309

TXE 1 05-348

TXE 1 05-369

TXE 1 05-378

TXE 1 05-383

TXE 1 05-405

TXE 1 05-418

TXE 1 05-431

TXE 1 05-456

TXE 1 05-459

TXE 1 05-528

TXE 1 05-529

TXE 2 05-154

James A. Trainor v. Pfizer, Inc., et al.  
Raquel M. Jimenez v. Pfizer, Inc.  
Dorothy H. Boudreaux v. Pfizer, Inc., et al.  
Juneid N. Majors, etc. v. Pfizer, Inc.  
Kimberly Morris Blackshire, etc. v. Pfizer, Inc.  
Linda Dyer v. Pfizer, Inc.  
Horace Hebert v. Pfizer, Inc., et al.  
John G. Morphis v. Pfizer, Inc.  
Kathy Lasdin v. Pfizer, Inc.  
James A. Trainor v. Pfizer, Inc.  
Dora Jeanne Pickens v. Pfizer, Inc., et al.  
John Knight v. Pfizer, Inc., et al.  
James Davis, et al. v. Merck & Co., Inc., et al.

**DIST. DIV. C.A. #**

**CASE CAPTION**

**TEXAS NORTHERN**

TXN 3 05-1237

TXN 4 05-383

Carol Cox v. Pfizer, Inc.

Mica Lane Uselton, et al. v. Pfizer, Inc.

**TEXAS SOUTHERN**

TXS 3 05-332

TXS 4 05-2417

Deborah D. Crow v. Pfizer, Inc., et al.

Erma Smith, et al. v. Pfizer, Inc., et al.

**TEXAS WESTERN**

TXW 1 05-559

TXW 1 05-560

TXW 1 05-561

TXW 1 05-562

Winnie Cook, et al. v. Pfizer, Inc.

Raymond Bonnet, et al. v. Pfizer, Inc.

Roy Sinclair, et al. v. Pfizer, Inc.

Debbria Greer v. Pfizer, Inc.

**VIRGINIA WESTERN**

VAW 2 05-35

Billy Bailey, et al. v. Pfizer, Inc.

**WEST VIRGINIA NORTHERN**

WVN 3 05-30

Dewain L. Howard v. Pfizer, Inc.

**WEST VIRGINIA SOUTHERN**

WVS 2 05-404

Barry R. Hudnall, et al. v. Pfizer, Inc., et al.